

To his Grace His MAJESTIES High Commissioner, and the Honourable
Estates of PARLIAMENT.

The Humble PETITION of
JOHN WEIR OF NEWTON,

Sheweth,

THAT by a special Remit from the Second Session of this current Parliament, to the Commission for Fines and Forfaultures, I having pursued *John Hamilton of Kilkerscleugh*, to pay to me the Damage and Expenses which I was put to, by the malicious Information of the said *John Hamilton* against me, and wrongous Imprisonment of me thereupon, in Anno 1683, for the alledged Crimes of Treason therein contained: And this being considered by the Commission, They, by their Interloquitor dated the 2 of February 1691 Years, Fand, That the said *John Hamilton* had out of Malice threatened to pursue me to the Gallows; and that he did wilfully Inform against me, when he was under no necessity to do the same: And therefore fand him liable to refund to me so much of the Damage and Expenses libelled, as they should modify, I proving my Imprisonment for the Crimes he informed against me, and giving my Oath *in litem* for the Expenses, and assigned a Day, and allowed Diligence to me for that effect; and allowed him to be heard upon this Defence: viz. That he offered to prove, That he was forced to Depone against me, prior to the time deponed upon by my Witnesses: Conform whereunto I adduced Witnesses before the said Commission, and gave my Oath *in litem* upon the Expenses: And therefore the said Commission by their last Interloquitor, dated the Tenth Day of February 1691 Years, Fand, That the only Cause of my Imprisonment was, the Information given in by *Kilkerscleugh* against me, and that I continued in Prison more than Two Years; and that they were of opinion, That *Kilkerscleugh* ought to be decerned to pay to me, Three Thousand and Five Hundred Merks Scots Money, for the Causes foresaid, with Annualrent from the Date of the said Interloquitor. Which Action having since lyen over unprosecute, I, conform to an Act of this present Session of Parliament, gave in a new Petition to the Committee of Parliament for Security of the Kingdom, for a Warrant to Cite the said *John Hamilton* before the Parliament, to the effect above-written: And accordingly, upon the 18 Day of June 1695, They granted Warrant to Macers, or Messengers at Arms, to Cite, or Intimate, to the said *John Hamilton* to appear before the Parliament, upon Twenty Eight Hours, if within the Town of *Edinburgh*, and if forth thereof, upon Ten Days: And upon the Twenty Day of the said Month of June, I caused *James Aikman* Messenger, lawfully Summond the said *John Hamilton* personally, to appear before the Parliament the First Day of July next to come, to the effect above-written, as the said Petition, Warrant and Execution thereon, herewith produced, will testify: And seeing that the said Cause has long depended, and is not yet brought to a Conclusion, notwithstanding of the Justness thereof, and the warrantable procedure therein, in manner above-represented.

May it therefore please Your Grace and honourable Estates of Parliament, to take the Premises to Your most serious Consideration, and conform to the Interloquitor of the said Commission of Parliament for Fines and Forfaultures, to discern the said *John Hamilton of Kilkerscleugh* to make payment to me of the Sum of Three Thousand and Five Hundred Merks, modified by them to me, with Annualrent thereof since the said Tenth Day of February 1691, and in time coming, during the not payment According to Justice.

And Your Petitioner shall ever Pray, &c.

